

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of Avi J. ASHKENAZI	Examiner: Gary B. Nickol
Serial No. 09/993,234	Docket No.: 22338-1207
Filed: November 19, 2001	Group Art Unit: 1642
For: APO-2 LI AND APO-3 POLYPEPTIDES	

**RESPONSE TO NOTICE TO COMPLY**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

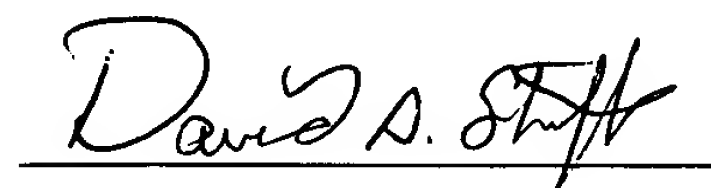
In response to the Notice to Comply dated June 29, 2004 (copy enclosed), for which an extension of two months up to and including September 29, 2004 has been requested, attached hereto are the following to complete the formal filing requirements in the above-identified application:

- ☒ Substitute paper copy and computer readable form (CRF) of the sequence listing in compliance with 37 C.F.R. 1.821-1.825.
- ☒ Statement Under 37 C.F.R. 1.825.
- ☒ Petition for Two Month Extension of Time and authorization for the \$420.00 fee to be charged to Deposit Account No. 18-1260.
- ☒ Supplemental Amendment.
- ☒ A copy of the Notice to Comply mailed June 29, 2004.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to  
Deposit Account 18-1260.

Do not hesitate to contact the undersigned attorney if you have any questions.

Respectfully submitted,

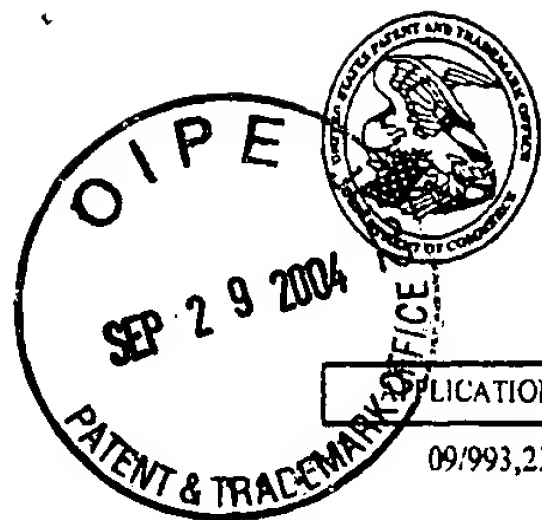
A handwritten signature in dark ink, appearing to read "David A. Steffes", is written over a horizontal line.

David A. Steffes  
Reg. No. 46,042

DAS/yea

Date: September 29, 2004

**SIDLEY AUSTIN BROWN & WOOD LLP**  
1501 K Street, N.W.  
Washington, DC 20005  
202-736-8000



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,234	11/19/2001	Avi J. Ashkenazi	P1007PID1	1337

9157 7590 06/29/2004

GENENTECH, INC.  
1 DNA WAY  
SOUTH SAN FRANCISCO, CA 94080

EXAMINER

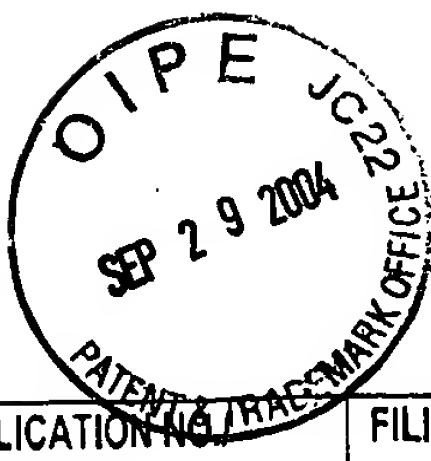
NICKOL, GARY B

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO. CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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062404

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The reply filed on 04/07/2004 is not fully responsive to the prior Office Action because of sequence errors in the computer readable form. Hence, this application fails to comply with the requirements of 37 C.F.R. " 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.
2. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).
3. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. " 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. ' 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. ' 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.
4. Any inquiry concerning this communication should be directed to Primary Examiner Gary B. Nickol, Ph.D., Art Unit 1642, whose telephone number is (571) 272-0835.

**GARY NICKOL**  
**PRIMARY EXAMINER**

*Gary B. Nickol*  
Gary B. Nickol Ph.D.  
Primary Examiner  
Art Unit: 1642